

AUG 27 2003  
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RCE/1600

REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/509,712
Filing Date	March 31, 2000
First Named Inventor	Rubin et al.
Group Art Unit	1648
Examiner Name	Foley, Shanon
Attorney Docket Number	01123.0004

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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (c) (P-T/O/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \*\*\*  
Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \*\*\*
- iii. ☐ Other \*\*\*\*\*
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☒ Request for Extension of Time
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Authorization to Treat Reply Requiring Extension of Time...; Return Postcard

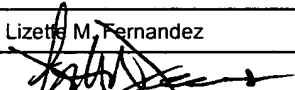
2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \*\*\*\*\* months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \*\*\*\*\*

3. Fees

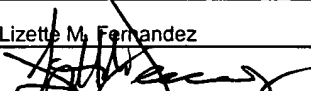
- a. ☐ Check in the amount of \$\*\*\*\*\* enclosed for the fees designated below.
- b. ☒ Payment by credit card in the amount of \$966.00 for the fees designated below. (Form PTO-2038 enclosed).  
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.
- c. ☐ The Director is hereby authorized to charge the amount of \$\*\*\*\* for the fees designated below to Deposit Account No. 14-0629.
- d. ☒ Fees
- ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- ☒ Other 3 additional Independent Claims
- e. ☒ The Director is hereby authorized to charge any underpayment or credit any overpayment to Deposit Account No. 14-0629.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Lizette M. Fernandez	Registration No. (Attorney/Agent)	46,694
Signature		Date	8/25/03

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and any items indicated as attached or included are being deposited with the United States Postal Service as Express Mail, Label No. EL 992019124 US in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Name of Person Mailing(Print/Type)	Lizette M. Fernandez	Date	8/25/03
Signature			

08/28/2003 MBERHE 00000113 09509712

01 FC:2801  
02 FC:2201

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126.00 OP



ATTORNEY DOCKET NO. 01123.0004  
PATENT

#22/F  
9-4-03  
Shane

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	)	
Rubin et al.	)	
Serial No.: 09/509,712	)	Group Art Unit: 1648
Filed: March 31, 2000	)	Examiner: Foley, S.
For: MAMMALIAN GENES INVOLVED IN	)	Confirmation No. 8103
VIRAL INFECTION AND TUMOR	)	
SUPPRESSION	)	

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AMENDMENT

Mail Stop RCE  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.  
Customer No. 23859  
August 25, 2003

Sir:

This is in response to the Office Action dated February 25, 2003. A Request for Extension of Time is included herewith. Please amend the application as follows.

This Amendment is submitted in the form authorized by the PTO Notice "Amendment in a Revised Form Now Permitted" and pursuant to the waiver of 37 C.F.R. § 1.121 contained therein.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 13 of this paper.